

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRYAN BROWN,

Defendant.

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CASE NO. 08-20300

HON. MARIANNE O. BATTANI

**ORDER GRANTING DEFENDANT'S MOTION FOR DISCLOSURE OF  
DISCOVERY AND BRADY MATERIALS, DEFENDANT'S MOTION FOR  
NOTICE OF 404(b) EVIDENCE, AND DEFENDANT'S MOTION FOR  
LEAVE TO FILE ADDITIONAL MOTIONS, AND DENYING DEFENDANT'S  
MOTION IN LIMINE TO EXCLUDE PRIOR CONVICTIONS UNDER FRE 609,  
DEFENDANT'S MOTION TO SEVER COUNTS IN INDICTMENT, AND  
DEFENDANT'S MOTION TO DISMISS COUNT I OF THE INDICTMENT**

Now before the Court are Defendant Bryan Brown's Motion for Disclosure of Discovery and Brady Materials (Doc. No. 14), Defendant's Motion for Notice of 404(b) Evidence (Doc. No. 15), Defendant's Motion for Leave to File Additional Motions (Doc. No. 20), Defendant's Motion in Limine to Exclude Prior Convictions Under FRE 609 (Doc. No. 21), Defendant's Motion to Sever Counts in Indictment (Doc. No. 22), and Defendant's Motion to Dismiss Count I of the Indictment (Doc. No. 23).

For reasons more fully stated on the record at a hearing held on March 16, 2009, the Court **GRANTS** Defendant's Motion for Disclosure of Discovery and Brady Materials, Defendant's Motion for Notice of 404(b) Evidence, and Defendant's Motion for Leave to File Additional Motions. **IT IS FURTHER ORDERED** that Defendant may file a motion challenging the search and seizure on or before **April 9, 2009**. The Government may file

a response on or before **April 17, 2009**.

The Court **DENIES** Defendant's Motion to Exclude Prior Convictions, Defendant's Motion to Sever Counts in Indictment, and Defendant's Motion to Dismiss Count I of the Indictment.

**IT IS FURTHER ORDERED** that the parties are to appear for the Final Pretrial Conference on Tuesday, **April 21, 2009** at **2:00**. The Court will hear oral argument on the pending motion at that time.

**IT IS SO ORDERED.**

s/Marianne O. Battani  
MARIANNE O. BATTANI  
UNITED STATES DISTRICT JUDGE

Date: March 17, 2009

#### **CERTIFICATE OF SERVICE**

A copy of this Order was mailed and/or electronically filed to counsel of record on this date.

s/Bernadette M. Thebolt  
Deputy Clerk